

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

GERALD B. McNEAL, <div style="text-align: right;"><i>Plaintiff,</i></div> <div style="text-align: center;">v.</div> STATE FARM FIRE AND CASUALTY COMPANY, et al., <div style="text-align: right;"><i>Defendants.</i></div>	: : : : : : : : : :	CIVIL ACTION NO. 24-cv-03146
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ORDER

AND NOW, this **4th** day of **November 2024**, upon review of the docket and consideration of Plaintiff's Complaint (ECF No. 1), Defendants' Motion to Dismiss and exhibits thereto (ECF No. 10), Defendants' Disclosure of Citizenship (ECF No. 17), Plaintiff's Responses (ECF Nos. 18, 19), and for the reasons set forth in the accompanying memorandum, it is hereby **ORDERED** that the Motion (ECF No. 10) is **GRANTED IN PART** and **DENIED IN PART**.

- 1) Plaintiff's bad faith claims (First Cause of Action and Second Cause of Action) against Defendants are **DISMISSED** without prejudice.
- 2) Plaintiff's claim for a violation of civil rights under 42 U.S.C. § 1981 (Third Cause of Action) against Defendants is **DISMISSED** with prejudice.
- 3) The Clerk of Court is **DIRECTED** to **CLOSE** this case.

BY THE COURT:

/s/ **Chad F. Kenney**

CHAD F. KENNEY, JUDGE